

**CITY OF ILWACO
ORDINANCE NO. 855**

**AN ORDINANCE OF THE CITY OF ILWACO, WASHINGTON, ESTABLISHING
STANDARD PROCEDURES FOR BILLING ERRORS, UNDERPAYMENT AND
OVERPAYMENT OF UTILITY BILLS.**

WHEREAS, billing errors resulting in underpayment and overpayment of utility bills do occur,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ILWACO,
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

Section 1. Add 13.06.025 “Billing errors” to Title 13 as follows:

Title 13 PUBLIC SERVICES

Chapter 13.06 COMBINED WATER/SEWER/STORMWATER BILLING

**Chapter 13.06
COMBINED WATER/SEWER/STORMWATER BILLING**

Sections:

13.06.010 Billing.

13.06.020 Delinquent accounts and fees/interest/penalties.

13.06.025 Billing errors.

13.06.030 Owner’s responsibility for bills.

13.06.040 Billing disputes.

13.06.050 Dishonored checks.

13.06.070 Initiation of accounts.

13.06.080 Liens.

13.06.025 Billing errors

A. Overpayment. Overpayments occurring within a three year period prior to either discovery by the City or written notification from the account holder to the City, shall be refunded to the appropriate account holder(s) in full within 30 days from confirmation, or may be credited to the affected account if less than the amount due for the upcoming billing period.

B. Under-billing. An account that is under-billed, when identified and confirmed by the City, shall be billed as follows:

1. Under-billed amounts shall be billed reaching back for no more than three years from the date of discovery by the City, or no more than three years from the date of written notification to the account holder.
2. There shall be no interest or penalties due for under-billed amounts.
3. At the account holder’s request, the City may set a payment schedule of for the under-billed amount that is equal in time to the reach back period of the under-billing.

4. Upon establishment of the under-billing obligation and payment schedule, if any, the amounts due shall be subject to the provisions of 13.06.020.

Section 2. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 3. Referendum and Effective Date. This Ordinance, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum, and shall take effect and is in full force five (5) days after its passage, approval and publication of an approved summary of the title as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF ILWACO, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 12TH DAY OF OCTOBER, 2015.

Mike Cassinelli, Mayor

ATTEST:

Ariel Smith, Treasurer

VOTE	Jensen	Karnofski	Marshall	Chambreau	Forner	Cassinelli
Ayes						
Nays						
Abstentions						
Absent						

PUBLISHED: October 21, 2015

EFFECTIVE: October 26, 2015